



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,058	02/05/2004	Samuel Lee Miles		2057

27633 7590 03/29/2005

SAMUEL L. MILES  
3143 CROOKS ROAD  
ROCHESTER HILLS, MI 48309

EXAMINER
----------

EL ARINI, ZEINAB

ART UNIT	PAPER NUMBER
----------	--------------

1746

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

Application No.

10/708,058

Applicant(s)

MILES, SAMUEL LEE

Examiner

Zeinab E. EL-Arini

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.



## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:  
On page 1, after the title, "Cross Reference To Related Applications", and paragraph [0001] from "5,468,779-----, class 134/6." should be deleted. In the title "[“ and “]" should be deleted. In the specification, paragraph [0008], line 12, "T" is confusing term. It is not clear what "T" refers to. Also, paragraph [0010] is confusing and cannot be understood.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 2-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is



most nearly connected, to make and/or use the invention. The specification, as originally filed, does not provide support, for the limitations of claims 2-11, (the range of boron methoxide (claim 2), range of alcohol (claim 3), range of surfactant (claim 4), range of evaporation inhibitor (claim 5), range of additives (claim 6), the boron methoxide (claim 7), the alcohol (claim 8), the surfactant (claim 9), evaporation inhibitor (claim 10), and the additive range (claim 11) . Also, it is requested that applicant provide explanation for the structure of the alkyl borate, methyl borate, trimethyl borate, trimethyl borate, boron methoxide, ----- as claimed in claim 7. If some of these compounds are duplicated, applicant has to choose one compound which is actually used in this process.

4. Claims 2-11 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the limitation of claim 1, does not reasonably provide enablement for the limitation of claims 2-11. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. The specification, as originally filed, does not provide enablement for the range of boron



methoxide (claim 2), range of alcohol (claim 3), range of surfactant (claim 4), range of evaporation inhibitor (claim 5), range of additives (claim 6), the boron methoxide (claim 7), the alcohol (claim 8), the surfactant (claim 9), evaporation inhibitor (claim 10), and the additive range (claim 11) .

5. The following is a quotation of the second paragraph of 35 U.S.C.

112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3, "comprising" is indefinite and confusing term, because it is not clear if comprising refers to the non-ferrous substrate or to the method. At line 6, after "Boron methoxide", "consisting:" is indefinite term, because it is not clear if it refers to "Boron methoxide" or to "stripping composition". At line 8, "may" is indefinite term. At line 23, "strip tank" lacks antecedent basis.



In claim 7, line 7, claim 8, line 15, claim 9, line 17, claim 10, line 7, and claim 11, line 15, "preferred" is indefinite term.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilson (US 2004/0002437) discloses flushing solution for coatings removal. McKim et al. (6,673,157) disclose methods for stripping paint with DMSO containing compositions. Wiedemann (6,660,100) discloses method for removing paint from plastic parts. Machac, Jr. et al. (6,608,012) disclose process and formulations to remove paint and primer coatings from thermoplastic polyolefin substrates. Miles (6,296,718) discloses a method of stripping cured paint from reject painted parts. Miles (5,894,854) discloses method for stripping paint from non-ferrous substrates. Lohr et al. (5,578,135) disclose chemo-mechanical stripping of paint from plastic parts. Yamamoto et al. (5,468,779) disclose method for recycling painted plastic materials.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose




telephone number is (571) 272-1301. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Zeinab E. EL-Arini  
Primary Examiner  
Art Unit 1746

ZEE  
03/24/05